

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:23-cv-00091-KDB-DCK

CHAD JAMES EMKE,)
Plaintiff,)
vs.)
CITY OF LENOIR, NORTH)
CAROLINA, et al.,)
Defendants.)

)

ORDER

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Chad James Emke (“Plaintiff”) filed this action on June 20, 2023, pursuant to 42 U.S.C. § 1983. [Doc. 1]. The Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 5]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from July 6, 2023, to amend his Complaint in accordance with the terms of the Court’s Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 5].

The deadline has passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

IT IS, THEREFORE, ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: August 28, 2023



Kenneth D. Bell
United States District Judge

